

RESPONSE TO OFFICE ACTION  
DATED JANUARY 11, 2005

Appln. No. 10/791,230

- 9 -

April 27, 2005

**REMARKS**

This is in response to the Office Action dated January 11, 2005. Reconsideration is respectfully requested.

Request for Extension of Time

Applicants request that the time period for response be extended one month, from April 11, 2005 to May 11, 2005. Enclosed is Credit Card Form PTO-2038 authorizing the charge of \$120 to cover the one-month extension pursuant to 37 CFR 1.17(a)(1)

Summary of Objections to Drawings

The Examiner has objected to the drawings, maintaining that a first and a second substrate portion recited in Claim 9, a third substrate portion recited in Claim 10 and first and second slits recited in Claim 14 are not shown in the drawings.

In response to these objections, applicants draw the Examiner's attention to Figure 11, which shows a first substrate portion 94, a second substrate portion 98 and a third substrate portion 100 as part of a substrate 32. Figure 11 is described in detail on page 9 of the application beginning at line 18: "Overwrap 88 is formed from a substrate 32, shown in Figure 11, by first folding or turning a substrate portion 94 back upon a remainder 96 of the substrate to form the channel 90, and then turning or folding one or more other substrate portions 98 and 100 into overlapping relation with the substrate portion 94 so that channel 92 is formed..."

RESPONSE TO OFFICE ACTION  
DATED JANUARY 11, 2005

Appln. No. 10/791,230

- 8 -

April 27, 2005

Amendment to the Drawings

The attached six sheets of drawings are replacement sheets as requested by the Examiner. The replacement sheets include Figures 1-11.

RESPONSE TO OFFICE ACTION  
DATED JANUARY 11, 2005

Appln. No. 10/791,230

- 10 -

April 27, 2005

Applicants respectfully contend that the first, second and third substrate portions recited in Claims 9 and 10 are clearly shown in Figure 11 and described unambiguously in the applications of description.

With respect to the first and second slits, applicants draw the Examiner's attention to Figure 5, wherein first and second slits 64 are illustrated. Figure 5 is described on page 8, beginning at line 1: "Cut line 48 (see figure 4) defines edges 60 and 62 that define slits 64 which provide openings for access to the central spaces 56 and 58."

Applicants maintain that slits 64 are clearly shown in Figure 5 and described unambiguously in the application.

In response to the Examiner's request for corrected drawings, applicants provide herewith formal drawings for consideration and approval by the Examiner which they believe meet the Examiner's objections. Should the Examiner disagree, he is invited to call the applicants' attorney, John Chionchio, to further discuss the matter.

Acknowledgment of Allowable Subject Matter

Claims 1-17 are pending in the application. Applicants acknowledge, with appreciation, that Claims 6-8 and 10-13 would be allowable if rewritten in independent form to include all of the limitations of their respective base claims and any intervening claims upon which they depend. Applicants further acknowledge that Claims 14 and 15 would be allowable if rewritten to overcome the drawing objection establish by the Examiner.

RESPONSE TO OFFICE ACTION  
DATED JANUARY 11, 2005

Appln. No. 10/791,230

- 11 -

April 27, 2005

Summary of the Substantive Rejections

Claims 1, 2, 4-5, 9 and 17 are rejected as anticipated by U.S. Patent No. 6,822,166 to James et al. Claims 3 and 16 are rejected as obvious over James et al.

Explanation of Claim Amendments

Applicants have amended Claim 1 by incorporating into it the subject matter of allowable Claim 6 and intervening dependent Claim 5 as suggested by the Examiner. Claims 5 and 6 have been canceled. Claim 1, as amended, should be allowable consistent with the Examiner's remarks. Claims 2-4, 7, 8, 16 and 17 depend, either directly or indirectly, upon Claim 1 and should be allowable for the same reasons that Claim 1 is allowable.

Applicants have further amended Claim 9 by incorporating into it the subject matter of Claim 1, upon which it depends, and the subject matter of allowable Claim 10, Claim 10 being canceled. Applicants contend that Claim 9, as amended, should be allowable consistent again with the Examiner's remarks. Claims 11-13 depend, either directly or indirectly, upon Claim 9, and should be allowable for the same reasons that Claim 9 is allowable.

Applicants further respectfully contend that Claim 14 and its dependent Claim 15 are allowable without amendment in view of applicants' remarks regarding the drawings as explained above.

RESPONSE TO OFFICE ACTION  
DATED JANUARY 11, 2005

Appln. No. 10/791,230

- 12 -

April 27, 2005

Applicants respectfully contend that the claims as amended, along with their dependent claims, are allowable and request, therefore, that the application be passed to issue.

Respectfully submitted,

SYNNESTVEDT & LECHNER LLP

By: 

John A. Chionchio  
Reg. No. 40,954

1101 Market Street, Suite 2600  
Philadelphia, PA 19107-2950  
Telephone: (215) 923-4466  
Facsimile: (215) 923-2189

JAC/dml  
Enclosures